

# EXHIBIT A

IN THE CIRCUIT COURT  
FOR WASHINGTON COUNTY, TN.

Timothy Hopson Sr.        }  
   }  
   }  
plaintiff                       }  
Vs.                                }     Case no. 40167 }  
Advance auto parts inc }  
Defendant.                        }

Filed 10 day of  
Sept 2020 at  
11:30 o'clock A M  
Brenda Downes, Clerk

Motion to modify. COMPLAINT

Comes now the plaintiff, Timothy Hopson sr., in this foregoing complaint of wrongful termination, and discrimination. The facts of this case are as follows:

1. Plaintiff was hired onto work at advance auto parts on March 8, 2020.
2. during the almost 6 months that the plaintiff has worked at advance auto he has never been written up but however has been wrongfully accused by one Chris Golden who is the district manager for the area the plaintiff worked, and told by Mr. Golden that due to his age and being a diabetic that he would Never advance in the company. On several occations the plaintiff applied for different positions in which he is more than qualified to do but had them rejected. Then was advised during a call with mr. Depew who serves as the hr for that district that it didnt matter his doctor had written a statement Advising them not to put the plaintiff in a mask that the plaintiff either wear it or be terminated. Then the plaintiff agreed to purchase a set of brake pads for a customer and got busy and forgot to pay for but then on August 27th paid for and told the asset investigator he made a mistake and forgot To pay for and then payment was accepted and the plaintiff fired. Dates and times will be followed below of each incident to show the plaintiff was not only singled out but was Discriminated against. Let the record show the following dates and what transpired. Also see exhibits attached to this complaint.

A. Friday June 19, 2020 plaintiff was stocking shelves inside the store when Mr. Golden approached and asked him to come to the back of the store at which point he accused the plaintiff of being outside in uniform working on vehicles and stated the plaintiff would never advance in the company due to his Being a diabetic and his age

B. July 27, 2020 plaintiff was instructed to call his local HR which is mr. Depew.

During this conversation mr. Depew instructed the plaintiff that he didnt care that he had a doctors note stating he could not wear a mask that he would either comply to wearing one or be terminated.

C. August 27, 2020 the plaintiff clocked into work and was instructed to meet with mr. Jenkins who begin to accuse the plaintiff of selling or giving a customer a fuel pump off the record. The plaintiff openly stated he did neither sell nor give anyone a fuel pump. The plaintiff stated that he did however Agree to purchase a customer a set of brake pads for the customer but honestly got busy and forgot and then proceeded to pay. After paying for the item Mr Jenkins and Mr puckett came back into the office and instructed the plaintiff he was being immediately terminated. When the plaintiff asked if he Had remembered that evening to pay for the brakes if he would still be terminated and why he was terminated instead of being written up as he had never had a write up and was only caring for a customers safety rather than her money. Statement was refused due to plaintiff wanting to record. However another Employee just 2 months prior was caught using an instore credit card that she states she purchased from a customer and she is a key holder but was neither written up nor terminated. So let the record now show proof as everyone will have to swear in that can now be established the plaintiff was singled Out, and discriminated against.



#### Count 1. Discrimination

Defendant not only singled out plaintiff by making false accusations but proceeded to deny defendant moving up in the company because age and health.

#### Count 2. Negligence

Defendant failed to comply with Ada regulations on persons with disabilities and health by stating they didnt care plaintiff had medical excuse for not wearing mask that either he wear one or employment be terminated.

#### Count 3. Wrongful termination

Defendant immediately fired plaintiff for being honest about business picking up and forgetting to pay for a purchase of brakes for a customer he had agreed to purchase for customer and then letting him pay only to immediately fire him instead of giving warning or writing him up and trying to cite a Handbook in which plaintiff was never given a copy of. Also calling 3 days prior and accusing plaintiff of busting out a customers window in parking lot when in fact the window had bern busted at another location several months prior at another location and by another employee.

Damages

The plaintiff would ask for relief in the amount of one hundred seventy- five thousand dollars (\$175,000.00) for wrongful termination, and discrimination along with lost pay wages, and cost of court fees. Due to allegations above along with the added undo emotional stress this has put onto the plaintiff and any such other relief this court may seem fit.

I, Timothy Hopson, do hereby certify that the information

Contained in this foregoing matter is true and correct to the best of my knowledge.

[Signature]

Plaintiff

sworn to and described before me personally,

The above named, a person known or proved to be

This 10 day of Sept. and year of 2020.

[Signature]  
~~Notary public/ county clerk~~ Deputy Clerk

my commission expires \_\_\_\_\_.



I hereby certify that a true and exact copy of this foregoing complaint was mailed to:

Advance auto parts inc.

Attn: Tom Greco

2635 E. Millbrook Rd.

Raleigh, NC. 27604

On this 10<sup>th</sup> day of Sept., 2020.



Date \_\_\_\_\_

the fullness of the sun



Tummy Tucks  
Cosmetic  
Lasers  
Liposuction  
Gastroscopy  
Hemorrhoids  
Skin Lesions  
Vasectomies  
Breasts  
Colonoscopy  
Varicose Veins  
Tattoo Removal  
Stem Cells-Knees

# Appalachian Surgery & Vein / Mountain Medicine

No Driving or engaging in potentially Hazardous Activity while on narcotics, etc.

**SCOTT O. CAUDLE, M.D., FACS**

**Bob Reynolds, NP**

**Carlin Powers, NP MP4568284**

189 Corporate Drive #10  
Johnson City, TN 37604  
(423) 926-2400

1503 West Elk Avenue, Suite 1  
Elizabethon, TN 37643  
(423) 543-8619 (423) 543-6660

FileRx.com 800-307-7717 RxPeds.com

NAME

Timothy Hapson

DATE 7/14/20

ADDRESS

Rx 2, TN, H

R Pt. has moderately severe COPD and wearing a mask makes it difficult to breathe due to this diagnosis. If the workplace checks him the he is free of COVID symptoms, if you feel the environment is safe, and his job is essential, then he is permitted to not wear a mask.

SUBSTITUTION ALLOWED

DISPENSE AS WRITTEN

mask.

REFILL

PRN NR

DEA #: AC9760465 M.D.

Order # 2883258-1

SCRIPT # 4248

VERIFICATION BOX: HOLD BETWEEN THUMB AND FOREFINGER OR BREATHE ON IT. COLOR WILL DISAPPEAR, THEN REAPPEAR.

SAFETY FEATURES: COLORED VOID BACKGROUND - MICROPRINT LINES - IMPRINT ERASURE PROTECTION  
REVERSE RX - THERMOCHROMIC INK - ON BACK, ARTIFICIAL WATERMARK - COIN REACTIVE INK



**TENNESSEE HUMAN RIGHTS COMMISSION**  
WILLIAM R. SNODGRASS TENNESSEE TOWER  
312 ROSA L. PARKS AVENUE, 23RD FLOOR  
NASHVILLE, TENNESSEE 37243-1102  
(615) 741-5825 FAX (615) 253-1886  
[www.tn.gov/humanrights](http://www.tn.gov/humanrights)

September 1, 2020

Mr. Timothy Hopson  
104 Dugger St.  
Hampton, TN 37658

RE: Receipt of Allegation of Discrimination, Inquiry #2-224-20

Dear Mr. Hopson:

This letter is to inform you that the Tennessee Human Rights Commission ("the THRC") is in receipt of your allegation of discrimination against ADVANCED AUTO PARTS INC.. We are reviewing and assessing your information to determine if the THRC can accept it for investigation. If the THRC has questions regarding the information provided, we will contact you by phone, letter, and/or email.

Please note, if your claim is accepted and the employer has more than 15 employees, then the THRC may dual-file your complaint with the U.S. Equal Employment Opportunity Commission ("the EEOC"). You will receive notification through the U.S. Postal Service.

If you have any questions or have not received a status of your complaint within 30 to 45 days, please contact us at the number above and customer service will assist you.

Thank you,

*Suzanne Land*  
Suzanne Land  
Intake Specialist



Well just got a  
message from  
Golden. T & C  
can no longer  
be working  
on cars in the  
stores parking lot  
everyday. Every  
so often appears  
to be okay, but  
not all the time.  
I am awaiting  
clarification

Enter message



Send



D: Depew Advance Dist

7/27/20 10:59 PM

It was a pleasure speaking with you today but after I talked with you today i then reached out to my attorney. I notified him because the disregards to Ada requirements, and where I was previously told id never move up in the company because of age and health issues even though my sales records and everything speak for themselves. I ran my own company for 21 yrs before choosing to work for advance.

Delivered



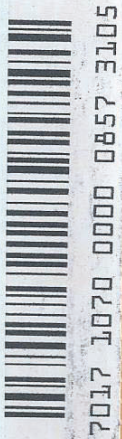
Type a message





Timothy E. H  
104 Dugger  
Hampton, TN. 37658

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37601  
SEP 10, 20  
AMOUNT  
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R2304H109811-19



1000

27604

RALEIGH PD  
SUN 13 SEP  
AFPM 6

Advance Auto Parts inc.  
Attn: Tom Greco  
2635 E. Millbrook Rd.  
Raleigh, NC. 27604